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Total Number of Pages in This Submission 15

Application Number 09/482,773

Filing Date JANUARY 13, 2000

First Named Inventor DREHER, et al.

Art Unit 1617

Examiner Name TBA

Attorney Docket Number 99.49US

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
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| <input checked="" type="checkbox"/> Information Disclosure Statement - (1 Page) | <input type="checkbox"/> CD, Number of CD(s) _____ | 3 Cited References (12 pages) |
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name ESTEE LAUDER COMPANIES

Signature

Printed name CYNTHIA R. MILLER, ESQ.

Date

Reg. No. 34,678

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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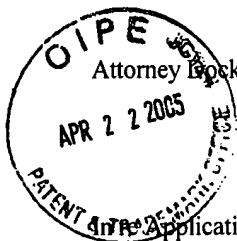
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.: 99.49US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: **DREHER, et al.**

Serial No.: 09/482,773

Group Art Unit: 1617

Filed: **JANUARY 13, 2000**

Examiner: **YU, GINA**

For: **OPTICAL MAKEUP COMPOSITION**

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicant submits herewith references that may be material to the examination of this application and with respect to which there may be a duty to disclose.

This paper shall not be construed as an admission that the references are, or are considered to be, material to patentability as defined in 37 C.F.R. 1.56(b), unless specifically designated as such.

The filing of this Information Disclosure Statement shall not be construed as a representation that no material references other than those listed exist or that a search has been conducted.

The references are listed on the enclosed Form PTO/SB/08A (substitute for Form 1449/PTO) which is in accordance with the requirements of M.P.E.P. 609. Three English-language abstracts of Japanese-language references and their partial translations are enclosed to satisfy the requirement regarding a concise explanation of foreign language references.

An appeal brief was filed by the applicant on **November 24, 2004**. A notice of allowance has not issued.

STATEMENT UNDER 37 C.F.R. 1.97(e)

Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. No fee is due.

Date:

April 20, 2005

Respectfully submitted,

Cynthia R. Miller

Cynthia R. Miller, Esq. (Reg. No. 34,678)
Estee Lauder Companies
155 Pinelawn Road
Suite 345 South
Melville, NY 11747
(631) 414-6068

PTO/SB/08A (08-03)